

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

REGINALD HOYLE,

Plaintiff,

v.

JERRY R. MITCHELL, JR. AND JR'S  
TOWING & RECOVERY,

Defendant.

CIVIL ACTION FILE  
NUMBER: 1:22-cv-00488-MLB

**DEFENDANT'S INITIAL DISCLOSURES**

(1) If the defendant is improperly identified, state defendant's correct identification and state whether defendant will accept service of an amended summons and complaint reflecting the information furnished in this disclosure response.

**Defendant Jerry R. Mitchell, Jr. contends JR's Towing & Recovery is improperly identified because it is a trade name and is not a separate entity.**

(2) Provide the names of any parties whom defendant contends are necessary parties to this action, but who have not been named by plaintiff. If defendant contends that there is a question of misjoinder of parties, provide the reasons for defendant's contention.

**Defendant does not contend there are any necessary parties to this action who have not been joined or that there is a misjoinder of parties.**

(3) Provide a detailed factual basis for the defense or defenses and any counterclaims or cross claims asserted by defendant in the responsive pleading.

**Defendant contends Defendant Jerry R. Mitchell, Jr. struck the rear of Plaintiff's vehicle. Defendant disputes reserve the right to dispute comparative fault and dispute causation, and damages.**

(4) Describe in detail all statutes, codes, regulations, legal principles, standards and customs or usages, and illustrative case law which defendant contends are applicable to this action.

- **Georgia law regarding simple negligence, causation, and damages.**

(5) Provide the name and, if known, the address and telephone number of each individual likely to have discoverable information that you may use to support your claims or defenses, unless solely for impeachment, identifying the subjects of the information. (Attach witness list to Initial Disclosures as Attachment A.)

**See Attachment A.**

(6) Provide the name of any person who may be used at trial to present evidence under Rules 702, 703 or 705 of the Federal Rules of Evidence. For all experts described in Fed.R.Civ.P. 26(a) (2) (B), provide a separate written report satisfying the provisions of that rule. (Attach expert witness list and written reports to Initial Disclosures as Attachment B.)

**See Attachment B.**

(7) Provide a copy of, or description by category and location of, all documents, data compilations, or other electronically stored information, and tangible things in your possession, custody or control that you may use to support your claims or defenses unless solely for impeachment, identifying the subjects of the information. (Attach document list and description to Initial Disclosures as Attachment C.)

**See Attachment C.**

(8) In the space provided below, provide a computation of any category of damages claimed by you. In addition, include a copy of, or describe by category and location of, the documents or other evidentiary material, not privileged or protected from disclosure on which such computation is based, including materials bearing on the nature and extent of injuries suffered, making such documents or evidentiary materials available for inspection and

copying under Fed.R.Civ.P. 34. (Attach any copies and descriptions to Initial Disclosures as Attachment D.)

**Defendant is not claiming damages.**

(9) If defendant contends that some other person or legal entity is, in whole or in part, liable to the plaintiff or defendant in this matter, state the full name, address and telephone number of such person or entity and describe in detail the basis of such liability.

**See Defendant's response to Number 3 above.**

(10) Attach for inspection and copying as under Fed.R.Civ.P. 34 any insurance agreement under which any person carrying on an insurance business may be liable to satisfy part or all of a judgment which may be entered in this action or to indemnify or reimburse for payments to satisfy the judgment. (Attach copy of insurance agreement to Initial Disclosures as Attachment E.)

**See Attachment E.**

DENNIS, CORRY, SMITH & DIXON, LLP

/s/ Grant B. Smith  
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**CERTIFICATE OF SERVICE**

I electronically filed this **DEFENDANT'S INITIAL DISCLOSURES** with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to the following attorneys of record:

Blake Fluevog, Esq.  
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I mailed by United States Postal Service the document to the following non-CM/ECF participants: None.

This 9<sup>th</sup> day of March, 2022.

/s/ Nicholas D. Bedford  
NICHOLAS D. BEDFORD, ESQ.  
For the Firm

THIS IS TO CERTIFY that, pursuant to LR 5.1B, NDGa., the above document was prepared in Times New Roman, 14 pt.

**ATTACHMENT A**

- Plaintiff;
- Jerry R. Mitchell, Jr.;
- Plaintiff's medical providers, including her providers prior to this accident;
- Plaintiff's employers;
- Officer James Crisp, East Point Police Department; and
- Any and all individuals identified by Plaintiff.

**ATTACHMENT B**

**None at this time.**

**ATTACHMENT C**

- **Georgia Uniform Motor Vehicle Accident Report; and**
- **Documents pertaining to Jerry R. Mitchell, Jr.**

**ATTACHMENT D**

**Defendants are not making a claim for damages.**

**ATTACHMENT E**

**A copy of the declaration page to the applicable policy, with premium information redacted, is attached.**